

E-FILING

Filed

JUL 12 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

1 SCOTT N. SCHOOLS (SCSBN 9990)
2 United States Attorney
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ELMER OCHOA-ALVAREZ,

15 Defendant.

16 CR No. 07 00434 RMW/HB

17 VIOLATION: 8 U.S.C. § 1326 -
18 Illegal Re-entry Following Deportation

19 SAN JOSE VENUE

20 INFORMATION

21 The United States Attorney charges:

22 On or about May 22, 2007, the defendant

23 ELMER OCHOA-ALVAREZ,

24 an alien, previously having been arrested and deported from the United States on or about
25 June 9, 1994, August 4, 1999 and November 4, 2004, was found in the Northern District
26 of California, the Attorney General of the United States and the Secretary for Homeland
Security not having expressly consented to a reapplication by the defendant for admission

27 //

28 INFORMATION

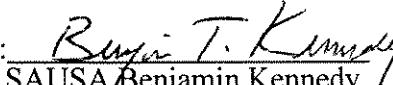
1 into the United States, in violation of Title 8, United States Code, § 1326.

2
3 DATED:

4 7/10/07

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6 SCOTT N. SCHOOLS
7 United States Attorney

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10 DAVID R. CALLAWAY
11 Deputy Chief, San Jose Branch

12 Approved as to form: 
13 SAUSA Benjamin Kennedy

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AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following Deportation

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee

CR

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

ICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

- U.S. Atty Defense
 this prosecution relates to a pending case involving this same defendant
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

SCOTT N. SCHOOLS

U.S. Atty Other U.S. Agency

Name of Asst. U.S. Atty (if assigned)

BENJAMIN KENNEDY

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

ELMER OCHOA-ALVAREZ

DISTRICT COURT NUMBERE-FILING
File

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NORTHERN DISTRICT COURT
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